#### Approved For Release 2004/03/23: CIA-RDP80M00165A000600150003-0



12 May 1977 OGC 77-3065

MEMORANDUM FOR: Director of Central Intelligence

FROM

STAT

Deputy General Counsel

SUBJECT

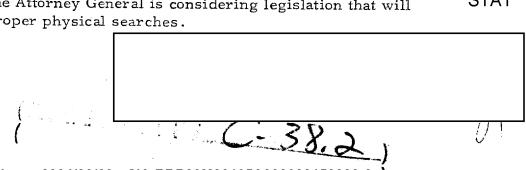
: Your Notes "Suggested Points for the President to Raise

With the Senate Select Committee on Intelligence"

- 1. Action Requested: None. For your consideration.
- 2. Background: George Cary provided this office with a copy of the referenced notes and asked that we get back directly to you with any suggestions we might have on the items involving the Intelligence Oversight Board and electronic surveillance legislation.
- 3. Recommendation: I have taken the liberty of revising paragraph 5 of your notes to reflect precisely the status and substance of possible legislation on electronic surveillance and unconsented physical searches. There is no proposed legislation relating to physical surveillances. I suggest the following rephrasing and reordering of your subparagraphs.
  - a. This Administration has prepared for submission to Congress an Electronic Surveillance Bill which should be effective in assuring that the personal liberties of our citizens will not be infringed by improper electronic surveillance in the United States.
  - b. The Attorney General also intends to develop legislation to protect the rights of Americans overseas against improper electronic surveillance.

d.	The Att	orney (	General	is	considering	legislation	that	will
prevent i	improper	physic	al sear	che	es.			

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# Approved For Release 2004/03/23: CIA-RDP80M00165A000690150003-0 SUGGESTED POINTS FOR THE PRESIDENT TO RAISE

# WITH THE SENATE SELECT COMMITTEE ON INTELLIGENCE

#### 1. Legislative Charters.

- a. Willing to accept.-
- b. Want to work closely with the Committee:
  - (1) to avoid a situation in which the legislative charters become too detailed and tie down the specifics of the intelligence process in too permanent a manner.
  - (2) so that central purpose of charter is not lost in unnecessary debate over executive and legislative privilege.
- c. Hope charters and new Executive Order can be a matching set.
- d. Expect to have our proposed changes to Executive Order ready by mid-June.
  - (1) Will discuss with Committee prior to issuing.
- 2. Security of Information.
  - a. Imperative be able to hold important data.

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(1) Hope Select Committee can shoulder most of Senate responsibility for oversight of sensitive materials.

#### 3. Open Budget.

- a. Agreed not to object to disclosure of a single budget figure in a desire to be more forthcoming and open.

  Am persuaded that only a single figure can be released within the bounds of security. Am prepared to enforce a strict policy on that regard within the Executive Branch.
- b. It is now up to the Senate as to what you want to do.

  Do not want to attempt to dictate to you because of the

  accompanying responsibility also to maintain a strict adherence
  to a policy of only one number.

### 4. <u>Intelligence Oversight Board</u>.

- a. Have reconstituted the Intelligence Oversight Board with three capable men. The Chairman has had some experience in the intelligence business and hence will lead a modicum of expertise. Senator Gore and Governor Scranton are, of course, citizens with distinguished records of public service.
- b. Have elected to disestablish the President's Foreign
  Intelligence Advisory Board, largely in view of the increased
  role that the Senate Select Committee is playing in reviewing
  the intelligence process. I anticipate a continuing and useful
  dialogue with the Committee and hope that this will, in large

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measure, substitute for the Advisory Board. In addition, such a Board must have access to all of the most sensitive intelligence information. There is always some risk inherent in simply expanding the numbers of people exposed to this kind of information.

## 5. <u>Electronic Surveillance Bill</u>.

- a. This Administration has submitted an Electronic Surveillance Bill which should be effective in preventing abuse of personal liberties of our citizens as a result of improper electronic surveillance.
- b. The Attorney General is developing a bill that will similarly prevent abuses of physical surveillance.
- c. The Attorney General is also developing legislation to protect the rights of Americans overseas against all forms of surveillance.

,	ROUTING	G AND	RECORD	SHEET	
SUBJECT: (Optional)		Andrews of the second		Executive Registry	
				197-1308/1	<u></u>
FROM:			EXTENSION	NO.	
Legislative Counse	1			DATE 12 May 1977	S
TO: (Officer designation, room number, and	I D.	ATE	OFFICER'S	COMMENTS (Number each comment to show from	whom
building)	RECEIVED	RECEIVED FORWARDED		to whom. Draw a line across column after each commen	
1.					
Director				I have made some suggest	ed
2.				changes in your point paper	
				the President's meeting with Senate Select Committee. I	the
<b>3.</b>				revised item 1(a) to allow for	r
				the option of making adjustm	
4.			'Es	in existing legislation rather than enacting a completely n	
				statute.	
5.				I have elaborated on 2 by	
and the second s				adding item (c) which reflect a comment you had made on	
6.				earlier paper on the subject	
				clearances and also specifie	
7.				the preference in principal t a joint committee (2d) and	0
				repeal or modification of	S
8.				Section 662 (2e).	
				I added an item on in the event the President	
<b>9.</b> (1997)				wishes to take issue with the	<b>.</b>
				Committee's decision on its	
10.				unclassified statement.  I also inserted item 7 to	100
	. 44   1914			emphasize the positive role	
11. 数据数据 电影 电影大学图像				which the Select Committee	
				play. OGC is reviewing the IOB and electronic surveilla	_
12.				sections	
12					
13.					
14.		1-5	0 3	George L. Cary	,
<b>3.70.</b> a.		-5	8.2	Legislative Counse	<del>1</del>
15.					
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